
HOUSE BILL No. 1688

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-33-45.

Synopsis: Lake superior court county division jurisdiction. Provides that the county division of the Lake superior court has jurisdiction in: (1) civil cases founded on contract or tort in which the debt or damage claimed is not more than \$25,000 per plaintiff instead of not more than \$10,000 of debt or damage claimed; and (2) actions for the possession of property where the value of the property sought to be recovered is not more than \$25,000 per plaintiff instead of not more \$10,000 of property value sought to be recovered.

Effective: July 1, 2007.

Frizzell

January 26, 2007, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

HOUSE BILL No. 1688

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 33-33-45-6 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 6. (a) **Except as**
3 **provided in section 6.5 of this chapter**, the court has:

- 4 (1) the same jurisdiction as the Lake circuit court in all civil and
5 probate cases and matters whether original or appellate;
6 (2) original exclusive jurisdiction of all felony cases;
7 (3) original concurrent jurisdiction of all misdemeanor cases,
8 infraction cases, and ordinance violation cases;
9 (4) appellate jurisdiction in criminal cases as is vested in the
10 circuit court; and
11 (5) original exclusive juvenile jurisdiction.

12 (b) Notwithstanding IC 31-30-1-2, the juvenile court has exclusive
13 jurisdiction over a child who:

- 14 (1) has been taken into custody in the county; and
15 (2) has allegedly committed an act that would be a misdemeanor
16 traffic offense if committed by an adult.

17 SECTION 2. IC 33-33-45-6.5 IS ADDED TO THE INDIANA

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CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2007]: **Sec. 6.5. (a) The county division of the court has the following jurisdiction:**

(1) Original and concurrent jurisdiction in civil cases founded on contract or tort in which the debt or damage claimed is not more than twenty-five thousand dollars (\$25,000) per plaintiff.

(2) Original and concurrent jurisdiction in possessory actions between a landlord and tenant and original exclusive jurisdiction in actions for the possession of property where the value of the property sought to be recovered is not more than twenty-five thousand dollars (\$25,000) per plaintiff.

(3) Original and concurrent jurisdiction of a case involving a Class D felony, a misdemeanor, or an infraction.

(4) Original and concurrent jurisdiction of a case involving the violation of a:

(A) city;

(B) town; or

(C) municipal corporation; ordinance.

(5) Original and concurrent jurisdiction of a case involving the violation of a traffic ordinance.

(b) If a defendant is charged with a crime outside the jurisdiction of the county division, the county division may hold the defendant to bail in an equal amount of either cash or surety.

SECTION 3. IC 33-33-45-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 16. All Indiana laws and rules adopted by the supreme court governing the circuit courts apply to the superior court. However:

(1) a person other than a judge of the superior court of Lake County may not serve as a special judge when a change of judge is requested from the superior court of Lake County;

(2) a judge of the superior court of Lake County may not receive compensation other than regular salary for serving as a special judge where the change of venue from the judge was granted by the superior court of Lake County;

(3) except as provided in section 6.5 of this chapter, the statutes and rules governing the records, procedures, and practices of county courts apply to the county division of the court; and

(4) there is no change of venue from the county as of right in cases in the county division of the court.

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